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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 VALLIER WILLIAM TOMPKINS,

Case No. 3:16-cv-00444-MMD-WGC

10 Petitioner,

ORDER

11 v.

12 WARDEN BACA, *et al.*,

13 Respondents.

14 In this habeas corpus action, the petitioner, Vallier William Tompkins, represented
15 by counsel, filed a second amended habeas petition on June 19, 2017 (ECF No. 21).
16 Respondents filed a motion to dismiss on August 18, 2017 (ECF No. 30). Tompkins filed
17 an opposition to the motion to dismiss on November 8, 2017 (ECF No. 36).

18 The scheduling order for this case was entered on September 20, 2016 (ECF No.
19 13). With respect to motions to dismiss, the scheduling order states:

20 *Briefing of Motion to Dismiss.* If respondents file a motion to dismiss,
21 petitioner shall have sixty (60) days following service of the motion to file
22 and serve a response to the motion. Respondents will thereafter have thirty
(30) days following service of the response to file and serve a reply.


23 (Order entered September 20, 2016 (ECF No. 13) at 2.) Pursuant to that order,
24 respondents have until December 8, 2017, to file a reply in support of their motion to
25 dismiss.

26 On November 15, 2017, respondents filed a motion for extension of time (ECF No.
27 37), requesting an extension of time to December 15, 2017. Respondents characterize
28 that as a 30-day extension of time; in fact, it would be a one-week extension.

1 Respondents' counsel states that she needs the extension of time because she
2 was out on annual leave from November 6 to 13, 2017, and because she is busy with
3 other cases. Petitioner does not oppose the motion for extension of time. The Court finds
4 that the motion for extension of time is made in good faith and not solely for the purpose
5 of delay.

6 It is therefore ordered that respondents' Motion for Enlargement of Time (ECF No.
7 37) is granted. Respondents will have until December 15, 2017, to file a reply in support
8 of their motion to dismiss. In all other respects, the schedule for further proceedings set
9 forth in the order entered September 20, 2016 (ECF No. 13) will remain in effect.

10 DATED THIS 16th day of November 2017.

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14 MIRANDA M. DU
UNITED STATES DISTRICT JUDGE
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